

The Commission has requested comment on whether it is feasible to allow blocking of 10XXX-1+ while unblocking 10XXX-0+ and/or 10XXX-0. We address the difficulties of 10XXX-1+ unblocking below. See Section II (C), at 79-83. For the moment, it is important to focus on some of the difficulties associated with 10XXX-0 and/or 10XXX-0+ unblocking.

In essence, the Commission has distinguished between 1+ direct dialing and "0" dialing. The Commission has assumed that any call containing a 0 as the initial routing digit in a carrier's network will be routed to the operator service system of that network.⁵⁴

(1) 10XXX Fraud and DTR.

As is evident from the discussion in Section II(B)(1), at 38-41, *supra*, there is generally little fraud associated with 950 and 800 access. Even where there is SDT, a caller who uses the network dial tone to place an 800 or 950 long distance call would not defraud the CPP provider, since billing information would be given to the IXC. By contrast, a 10XXX call placed on STD would be billed to the CPP line.⁵⁵ As explained above, an unlimited number of calls could then be made. In fact, frauders search out CPPs serviced

⁵⁴ The operator service system includes automated operator service systems, such as "bong tone" calls, where no live operator is involved, as well as the traditional live operators.

⁵⁵ If the CPP were presubscribed to an IXC and the IXC was not providing special screening (see discussion at 55, *infra*, DTR would allow the frauder to place a direct dial international call, without the 10XXX prefix, by dialing 011 and the international number. However, if the CPP provider had the option of not presubscribing the phone (see Section II(B)(4)(a), at 64-? *infra*) the fact that the 10XXX code was used to place the fraudulent call would be obvious, since the call could not otherwise have reached the IXC's network and have been billed to the CPP's ANI.

by central offices that do not return "wink" in order to be able to engage in just such fraudulent calling practices. See Exhibit II-D (Berman Declaration).

(2) When 10XXX-0 or 10XXX-0+ Become 10XXX-011.

The Commission proposal to allow 10XXX-0 and 10XXX-0+ unblocking assumes that these calls will go to the XXX carrier's operator service system where billing information will be collected. However, this is not necessarily the case.

Variations of the 10XXX dialing protocol are used for placing different types of calls.

10XXX-1+ :	direct dial domestic call
10XXX-0 :	IXC operator
10XXX-0+ :	direct dial/operator call
10XXX-011:	direct dial international call
10XXX-01+:	direct dial operator international call

From a review of these protocols, it is apparent that the only difference between a domestic call directed to an IXC operator service system (i.e., a 10XXX-0 or a 10XXX-0+) and a direct dial international call is that "11" is inserted following the 10XXX-0. This is a fact that has not been lost on frauders.

In fact, many CPPs have not been able to open 10XXX-0+ without also permitting 10XXX-0 calls. When the phone allows the 0 following the 10XXX, telephone frauders have found a way to insert a "11" following the 0 as the stream of digits enters the network. This turns the call into a 10XXX-011 call. By simply dialing the desired international number after inserting the "11", the frauder is able to make a fraudulent direct dial

international call that is billed to the CPP line. This is true even though the phone is programmed so that it will block a 10XXX-011 call if a caller walked up to the phone and dialed it in a straightforward manner. When the phone is unblocked for 10XXX-0+ and/or 10XXX-0, i.e., for access to the XXX carrier operator service system, it becomes vulnerable to having the "11" inserted as the 10XXX-0 enters the network.^{56/} The result is a fraudulent direct dial international call billed to the CPP line.

The insertion of the "11" digits is apparently accomplished by a variety of devices, including manual and random tone-simulator or dialer generated dialing sequences.^{57/} Further, the sequence used to "trick" the phone into allowing the first call may not have to be repeated because of secondary dial tone.

(3) Fraud Through the IXC Operator Service System.

The previous section involves taking a call that is supposed to be routed to the XXX carrier's operator service system and turning it into a direct dial call. However, there is a variety of fraud associated with 10XXX-0 and/or 0+ unblocking because of the manner in which CPPs are treated by the LECs and by IXCs even when the call is routed into the operator service system. While some of this fraud results from "operator service system" breakdown, it is nonetheless fraud which is directly attributed to or is exacerbated by allowing access to the operator service system through 10XXX-0 and/or 10XXX-0+ access.

^{56/} Even when 10XXX-0+ but not 10XXX-0 is unblocked, the phone may not be able to prevent the frauder from inserting the "11" digits instead of a 10 digit number following the 0. See note 46, supra.

^{57/} See Exhibit II-C (Scheer Declaration).

If 10XXX-0 and/or 10XXX-0+ access to an operator service system is unblocked, presumably calls initiated with either of these dialing sequences from a CPP will reach the EXC operator service system. If the caller is not attempting fraud and the call is "processed" either automatically by the EXC operator service system with the caller inserting billing information in response to the bong tone or volunteering billing information to a live operator, the call will be billed in accordance with the billing information given by the caller. Otherwise, when the call goes to a live operator, at least four things must happen to prevent fraud from developing within the EXC operator service system.

First, the operator system processing the call must in some manner be informed that the caller cannot bill the call to the originating line, i.e., to the ANI. In the equal access (or feature group D (FGD)) environment where 10XXX dialing is available, this is accomplished through a two-digit code known as the ANI Information Digit Code. When the ANI is generated by the switch, it is accompanied by this two-digit code, which is outputted with the ANI. These two-digit codes, often referred to as the ANI I I, are developed through various industry forums and assigned by Bellcore in its role as administrator of the North American Numbering Plan. The purpose of the ANI I I code is to inform LECs and EXCs about the type of line that is originating the call, any special characteristics of the billing number, or certain service classes.

The ANI I I associated with CPP lines is 07. This ANI I I^{ss} is supposed to alert the carrier to the fact that special routing or billing procedures must be used. This is critical

ss/ The 07 ANI ID is also used with a variety of other restricted originating lines, such as jails.

information, since if the wrong ANI I I code reaches either the LEC or the IXC operator service system, the system will not know that special billing is required.

In fact, there are instances where either or both the LEC and/or IXC operator system is not receiving the correct ANI I I code. For example, a Maryland CPP provider was recently involved in an incident where the LEC was delivering the wrong ANI I I for several hundred CPPs. The IXC serving the CPP provider had programmed its switch to screen calls and route them to operator positions based on the ANI I I. As a result, the CPP provider incurred thousands of dollars worth of fraud. (See Exhibit II-C (Scheer Declaration).) In New York, a CPP provider has periodically tested his phones. On numerous occasions, he or his employees have been told by either or both the New York Telephone Company (NYTel) operator or the operator for the IXC to which a call was transferred by the NYTel operator that the operator(s) were not receiving screening codes indicating the call was originating from a CPP.^{59/} Exhibit II-D Berman Declaration. Other anecdotal information to this effect is legion in the industry. Id.

If 10XXX-0 and/or 10XXX-0+ and access to the XXX carrier operator service system is to be unblocked, there must be assurances that proper screening codes will be used and delivered to both the LEC and IXC operator service systems. In fact, CPP providers

^{59/} Although the ANI I I is outpulsed automatically with the ANI, in many instances the LECs do not automatically send this information on to the receiving carrier (or even their own operator) unless the CPP provider subscribes to a separate tariffed service. This service has various names, such as Originating Line Screening, Outward Billed Number Screening, Selective Class of Service Screening, Outward Operator Screening and others. Often, the CPP is not informed that he or she must subscribe to a service to have information that is automatically generated by the originating switch forwarded along with the other information generated by the switch, information that generally is routinely included as a part of the local service rate for other subscribers.

are routinely given these assurances by the LECs and IXCs. The fraud nonetheless persists, as do the anecdotes about the LEC failure to deliver and/or the IXC failure to receive the proper screening information.^{60/}

After the proper screening information is delivered to the IXC, the next thing that must happen is that the IXC must honor it and act upon it.^{61/} In fact, there are repeated

60/ The failure of the LEC to deliver and/or of the IXC to receive the proper ANI I I renders totally ineffective any system that is dependent upon this information to prevent fraud. For example, many LECs now make available originating line screening (OLS) databases that contain the exact billing information associated with particular ANIs. Thus, once a call has entered the IXC operator service system, the IXC will recognize the 07 and be able to use the OLS data base to see whether the originating line is a CPP, or a jail, etc. (See note 61, *infra*.) Different billing restrictions apply to different phones. Jail phones, for example, can generally only place outgoing calls on a collect basis. But if the 07 is not received by the IXC, the call may not receive any, much less proper, screening.

61/ There seems to be some variation in the manner in which the actual billing information reaches the IXC operator, and different IXCs and/or LECs describe an operator service system differently. The differences are important only insofar as they affect whether the operator will act on the information.

As stated above, the ANI I I associated with CPPs is 07. However, it is not clear the operator ever sees a "07". Under one version of an IXC's operator service system, the 07 is "read" by the IXC switch when it reaches the IXC's operator service system. This triggers an automatic "look up" in the IXC's database. (The IXC database is generally organized by ANI and the database, in addition to information about phones presubscribed to that IXC, will also contain available LEC OLS data bases (see note 60 *supra*) if the IXC subscribes to them.) The database contains specific information and billing restrictions about that particular ANI. Based on the information, a more specific code that tells the operator exactly what the billing restrictions are will be shown on the operator display. For example, an ANI accompanied by a 07 ANI I I will trigger the look up through the IXC data base. The data base will show the ANI to be assigned to a CPP. This in turn will prompt a code "88" to appear at the operator display. The 88 tells the operator the originating phone is a payphone and that collect, bill to third number, or calling card billing is appropriate. A different screening code, e.g. 77, may tell the operator the phone is an inmate line, and that only collect billing is allowed.

(continued...)

instances where the LEC operator passes the call to the IXC operator without this information ("Please connect me to the (X IXC) operator. I was just cut-off") (see Exhibit II-D (Berman Declaration)) or the IXC operator connects the call even when the IXC has or should have screening information. (For example, a caller accesses the IXC operator directly and claims to have been cut off or otherwise persuades the operator to put a call through such as by claiming it's an emergency. See Exhibit II-E (Beary Declaration)).^{61/} If the frauder does not succeed in persuading the first operator, the frauder simply hangs up and redials until he or she does get an operator who will put the call through. Exhibit II-E (Beary Declaration), Att. 5.) These calls then show up on the phone bill as direct dial calls.

61/ (...continued)

Under another version of an IXC operator service system, the operator receives the 07 ANI I I along with the ANI at the operator station. The operator then enters the ANI into the IXC data base (which may contain information about ANI's presubscribed to the IXC and any OLS data bases which the IXC has entered) and receives back more information about specific billing instructions for that line, e.g., a code 88.

There are many other possible permutations, and APCC has been given differing versions of how "the" operator service system works. In fact, there may be more than one "system", depending on the IXC involved and the services it takes from the LEC. For example, some IXCs do not bother obtaining information beyond the 07, and simply treat all 07 calls as though they were from CPPs. Whatever the IXC's precise mode of operation, as stated in the text, the critical point is that the IXC must, having received a screening code, take adequate steps to act upon it.

62/ Some IXCs claim that the billing instructions that reach the operator position cannot be overridden by the operator. For example, on a call that shows an ANI associated with a CPP, after the look-up in the data base, the operator either is not authorized to release the call without putting in alternate billing information or the operator must put in alternate billing information before the operator position will release the call to the network. APCC stands by its statement that its members have experienced instances where operators of IXCs have processed calls without obtaining alternate billing information. In any event, once 10XXX is unblocked, CPP providers cannot make sure the caller accesses only those IXCs who observe strict punctilio in their internal procedures. See text at 62, *infra*.

(Exhibit II-E (Beary Declaration), Att.4.) Thus, a CPP provider may have been defrauded as a result of operator service system malfeasance (because the call did reach the operator service system) but will not know it because the call appears on the phone bill as a direct dial call.

In other instances, the bill acknowledges that there was operator assistance on the call, and charges the CPP line not only for the call, but the operator assistance charge as well, thus indicating a clear breakdown in the operator service system. Appendix K shows bills received from Contel, GTE and Southwestern Bell allowing operator assisted calls and charging them to a CPP line. Exhibit II-D (Berman Declaration), Att. 1, shows that there is breakdown in the operator service system at every level, with operator assisted calls being allowed and billed to the CPP line by the LEC operator (local and intraLATA calls) and the IXC operator (interLATA and international calls). Appendix K also shows international operator assisted calls billed to the CPP lines. Of course, once the frauder has completed one call through an operator, secondary dial tone can be used to make an unlimited number of calls over the accessed network.

Again, the LECs and IXCs offer assurances that when the operator service system has proper screening codes, operators do not release calls without obtaining the proper billing information. If 10XXX-0 and/or 10XXX-0+ is to be unblocked, CPP providers should not bear the risk of a breakdown. The instances of operator malfeasance cited in these comments are only the tip of the iceberg. It simply is impossible, absent specific information about how particular calls reached the IXC network, how those calls got into (or failed to get into) the operator service system, and what happened to them after that, to document the

full extent to which operators are involved in "system" breakdown. Even then, it cannot be ascertained whether the breakdown was due to the failure to deliver the proper ANI II or the operator service system's failure to process it.

In this connection, there is a general point of which the Commission must take notice. While we make this point at this juncture, it will have repeated relevance.

APCC members and other CPP providers have made diligent efforts to ascertain the causes of fraud and how it is perpetrated. APCC members have done extensive work in the field, investigating incidents of fraud, monitoring phones where fraud occurs, physical inspections of sites, etc. See Exhibits II-C - II-E (Scheer, Berman, Beary Declarations). They have set up elaborate fraud control schemes. There are, however, real limits on how much can be ascertained without direct information about how particular fraudulent calls were actually processed through the network. As a glance at Appendices A- J shows, the CPP provider generally cannot tell from the phone bills how the frauder accessed the IXC's network. While calls for which an operator assistance charge is levied are generally broken out separately on the bill, this information merely shows that the caller reached the IXC's operator service system; it also does not say how the IXC network was accessed. All the CPP provider is told is that a call has been billed back to his or her number. As explained above, many calls for which no operator assistance charge is levied are in fact placed through an operator. The CPP provider has no way of knowing this from the phone bill.

On the other hand, the LECs and IXCs do have information about how each and every one of these calls was processed. The automated message accounting systems (AMAs) of the LECs keep a "verbatim" record of every call. See Exhibit II-E (Beary Declaration),

Attachments 4-5. These records show all the information that reached the LEC (i.e., the exact dialing sequence that reached the network to initiate each call, including whether the call was initiated by a 10XXX prefix), whether it went to an operator system, and how the call was routed out of the LEC network.^{63/} In these circumstances, if the Commission desires additional information on these issues, the Commission must seek it from the parties who have it or accept the record as it has been developed by APCC.^{64/}

The third thing that must happen for fraud to be avoided if 10XXX-0 and/or 10XXX-0+ is unblocked is that the IXCs must have adequate data bases to perform the screening of the CPP calls that reach the IXC's network. In particular, the IXC, either through the switches or through its operators, must have access to the relevant OLS data bases to be able to determine how to bill the call. While CPP providers are routinely assured that OLS information is universally available to IXCs, not all IXCs accessible by 10XXX dialing in fact have access to the relevant OLS in all, or even any, of the locations where their respective networks can be accessed by the 10XXX dialing sequence. In some cases this is "by choice", since the IXC declines to subscribe to the service. But whatever the reason,

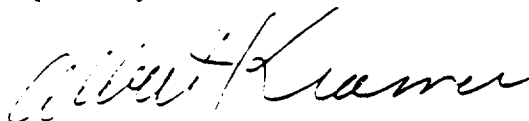
^{63/} It is APCC's understanding that this information is routinely provided to the IXCs as part of the billing information they receive from the LECs, although all the information does not come to the IXCs on a real time basis. For example, the IXC cannot tell on a real time basis whether a call arrived in its network because a 10XXX prefix was used. Whether the IXCs do or do not receive this information on a real time basis or it is routinely provided to them, it is available to them.

^{64/} See Beaumont Branch of the NAACP v. FCC, supra; California Public Broadcasting Forum v. FCC, supra; Bilingual Bicultural Coalition, Etc. v. FCC, supra; Citizens Committee to Save WEFM v. FCC, supra.

CONCLUSION

APCC requests that the Commission take action in accordance with the foregoing comments.

Respectfully submitted,



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September 7, 1990



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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DA 93-390

April 5, 1993

**FLORIDA PUBLIC SERVICE COMMISSION
PETITION FOR REVIEW OF
TARIFF PROVISIONS RELATING TO LIABILITY FOR
TOLL FRAUD CHARGES**

The Public Service Commission of the State of Florida (Florida PSC) has petitioned the Commission to review interstate and international tariff provisions relating to liability for toll fraud charges. Specifically, Florida PSC requests review of interstate and international tariff provisions relating to the liability of pay telephone providers for toll fraud charges billed to lines that subscribe to originating line screening (OLS) and billing number screening (BNS) services. Florida PSC has asked the Commission to review these tariffs in conjunction with rules recently adopted by Florida PSC in order to formulate a uniform, multi-jurisdictional resolution to toll fraud liability issues for certain types of fraudulent calls.

Interested parties may file comments concerning the Florida PSC petition within 60 days of the release of this Public Notice. Reply comments should be filed within 30 days thereafter. All filings should refer to File No. 93-TOLL FRAUD-02.

Copies of the petition and any subsequently filed documents in this matter may be obtained from International Transcription Service (ITS), 2100 M Street, N.W., Suite 140, Washington, D.C. 20037, (202) 857-3800. The petition and related documents will also be available for review and copying in Room 6220, 2025 M Street, N.W., any Monday through Thursday, 8:30 a.m. to 3:00 p.m. (closed 12:30 p.m. to 1:30 p.m.).

For further information, contact Linda Dubroof at (202) 634-1808.

- FCC -

State of Florida

Commissioners:

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RECEIVED
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10:00 AM

Public Service Commission

February 18, 1993

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

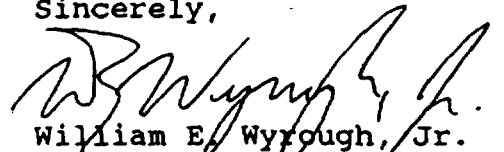
Re: REQUEST TO REVIEW INTERSTATE AND INTERNATIONAL TARIFF
PROVISIONS RELATING TO LIABILITY FOR TOLL FRAUD CHARGES

Dear Ms. Searcy:

On behalf of the Florida Public Service Commission, please find enclosed an original and five copies of the Commission's Request. An extra copy is also enclosed with a stamped, self-addressed envelope; please date stamp and return.

Please contact me should you have any questions concerning this matter.

Sincerely,


William E. Wyrrough, Jr.
Associate General Counsel

WEW/cjp
drsfcc.cjp

Enclosures

RECEIVED
JAN 19 1993

BEFORE THE
Federal Communications Commission
WASHINGTON, D.C.

REQUEST TO REVIEW INTERSTATE
AND INTERNATIONAL TARIFF PROVISIONS
RELATING TO LIABILITY FOR TOLL FRAUD CHARGES

INTRODUCTION AND SUMMARY

Pursuant to Section 1.41 of the Federal Communications Commission's (FCC) Rules of Practice and Procedure, 47 C.F.R. Section 1.41 (1992), the Florida Public Service Commission (FPSC), through its undersigned attorney, hereby requests the FCC to review interstate and international tariff provisions relating to liability for toll fraud charges. Specifically, the FPSC is concerned with pay telephone providers' liability for fraudulent toll charges after purchasing intrastate regulated and local exchange company (LEC) provided, originating line screening (OLS) and billed number screening (BNS). Although the screening service is purchased from state tariffs, the interstate and international calls which result in the majority of toll fraud are regulated through FCC tariffs. We urge the FCC to review these tariffs in conjunction with the rules recently adopted by the FPSC and to work towards a uniform, multi-jurisdictional resolution to the toll fraud liability problem for certain types of fraudulent calls.

/

BACKGROUND

Since October 8, 1988, pay telephone providers in Florida have been required by the FPSC to subscribe to LEC provided BNS and OLS services. The FPSC has received complaints from various pay telephone providers about collect and operator assisted calls billed to pay telephone lines. These calls are invariably fraudulent in nature. For illustrative purposes, this paper will discuss the complaint of Mr. F. P. Wade, a Florida pay telephone provider.

Mr. Wade provided evidence that AT&T is pursuing payment for fraudulent calls even though Southern Bell communicated to AT&T that OLS and BNS were operational and that the charges were thus not billable.¹ AT&T has based its claim for compensation on its Tariff FCC No. 1, Section 2.4, "Responsibilities of the Customer."²

On February 3, 1993, certain FPSC rule amendments became effective which address the toll fraud liability problems. The amendments effectively release the pay telephone provider from liability for the charges resulting from certain types of

¹ See call details in Attachment, pages 23, 25, 28 & 30, reflecting collect and operator assisted calls. See also BellSouth IEC/BOC Memorandums in Attachment, pages 22, 24, 26, 27 & 29.

² See AT&T letter, dated October 7, 1992, to Mr. Wade, Attachment, pages 20 & 21.

fraudulent calls if the provider has purchased call screening for the line. The rule also addresses the responsibilities of the LEC and the interexchange carrier (IXC) in these situations.³

REQUEST

The FPSC respectfully requests that the FCC conduct a review of the interstate and international tariff provisions relating to the liability of pay telephone providers for toll fraud charges billed to lines that subscribe to OLS and BNS services. We believe it is appropriate to have a multi-jurisdictional resolution to the toll fraud liability problem. We are concerned that the liability for these charges may force pay telephone providers out of business, and that this will adversely affect Florida's public interest.

To illustrate the problem of liability and AT&T's reliance on its FCC Tariff No. 1, we will refer to our staff's correspondence with AT&T. In response to staff's question number 3,⁴ AT&T states that for inbound international calls, the decision to validate the billed number or not is left to an employee of the foreign company originating the call. Under the present arrangement, there appears to be little or no incentive for the foreign carrier to validate calls since AT&T will bill the calls, even though BNS could have been used to prevent the fraudulent call. If an alternative

³ Rules 25-4.076, 25-24.475, and 25-24.515, Florida Administrative Code. See Order No. PSC-93-0109-FOF-TP, Attachment pages 1-18.

⁴ Attachment, pages 35-37.

arrangement were employed, such as one requiring AT&T to refuse to compensate the foreign carrier for such fraudulent calls, an incentive to properly validate the calls may be created. We note also, based on its response to question number 5,⁵ that AT&T has insulated itself from this type of fraud at its own pay telephones by means not available to its competitors. Therefore, in the interest of a level playing field for pay telephone providers, and to ensure that proper incentives are in place, it is appropriate to address this problem promptly.

Based on the IEC/BOC memorandums included with Mr. Wade's complaint,⁶ it appears that AT&T learned of the disputed calls within a reasonable of time and made no effort to determine why OLS codes were not received or to resolve the dispute with the LEC. We believe there is little incentive for AT&T to investigate this type of problem when it can bill and collect for such fraudulent calls by invoking its tariff. We urge the FCC to review the terms of all IXC tariffs as soon as possible and ensure that interstate and international tariffs address the liability for charges when a carrier does not accept or observe LEC OLS and BNS codes or fails to validate its calls via the appropriate LEC database.


⁵Attachment, page 37

⁶Attachment, pages 22, 24, 26, 27 & 29

CONCLUSION

The FPSC has adopted rules to place certain obligations upon each industry segment and to make the entity failing to fulfill its duties responsible for certain types of toll fraud charges that occur despite operational LEC OLS and BNS services. However, a uniform multi-jurisdictional solution for the problem is needed. Therefore, the FCC should take action through its review of tariffs, or other means, to place responsibility for toll fraud charges on the party failing to carry out its responsibility when OLS and BNS are operational.

Respectfully submitted,


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Dated: February 18, 1993

WEW
fccfraud.cjp

Attachments

ORDER NO. PSC-93-0109-FOF-TP
DOCKET NO. 920326-TP
PAGE 2

IN RE: Amendment of Rules) DOCKET NO. 920326-TP
25-4.076, 25-24.475,)
and 25-24.515, F.A.C.,) ORDER NO. PSC-91-0109-FOF-TP
pertaining to Toll Fraud)
Liability.) ISSUED: 01/21/93

NOTICE is hereby given that the Commission, pursuant to section 120.54, Florida Statutes, has adopted the amendments to Rules 25-4.076, 25-24.475, and 25-24.515, F.A.C., relating to toll fraud liability without change.

The rule amendment were filed with the Department of State on January 14, 1993, and will be effective on February 3, 1993. A copy of the relevant portions of the certification filed with the Secretary of State is attached to this Notice.

ORDERED that this docket is closed upon issuance of this notice.

By ORDER of the Florida Public Service this 21st day of January, 1991.

Steve Tribble
STEVE TRIBBLE, Director
Division of Records & Reporting

(S E A L)

NEW
adp92363.wew

1 PAGE 2

2

3 25-24.475 Company Operations; Rules Incorporated

4 (1) The following rules are incorporated herein by

5 reference and apply to Interexchange Companies. In these rules,

6 the word "local" should be omitted or interpreted as "toll", as

7 they shall apply only to interexchange and not local service.

8 (a) The following rules apply to all Companies:

9

10	Section	Title	Portions Not Applicable
11	25-4.022	Complaint - Trouble Reports, etc.	None
12	25-4.036	Design and Construction of Plant	None
13	25-4.038	Safety	None
14	25-4.039	Traffic	None
15	25-4.071	Adequacy of Service	Subsections (1), (2), (3), (4), (5), (6)
16	25-4.076	Pay Telephone Service Provided by Local Exchange Companies	All Subsections except (12)
17	25-4.077	Metering and Recording Equipment	(5)
18	24-4.160	Operation of Telecommunications Relay Service	Subsections (2), (3)

19

20 (b) The following rules apply to Major Interexchange

21 Companies only.

22

23

24

25 Portions Not

CODING: Words underlined are additions; words in struck-through type are deletions from existing law.

- 2 -

DOCUMENT NUMBER-DATE
00875 JAN 21 8
FPC-RECORDS/REPORTING

001

002

Section	Title	Applicable
25-4.023	Report of Interruptions	None
25-4.069	Maintenance of Plant and Equipment	Subsection (3)
25-4.070	Customer Trouble Reports	Subsections (1), (3), (5), (6), (7)
25-4.071	Adequacy of Service	Subsection (3), (4), (5), (6)
25-4.072	Transmission Requirements	Subsection (2), (3)
25-4.073	Answering Time	None
25-4.077	Metering and Recording Equipment	None
25-4.078	Emergency Operation	Subsection (2)
(2) A company may act as an agent of the customer in obtaining service from the local exchange company, provided the local exchange company bills the customer directly for the service rendered.		
(3) A company shall not lease intrastate-tariffed private line, or foreign exchange (FX) services or facilities of local exchange companies for the purpose of routing its customers' traffic, except as indicated in subsection (4).		
(4) Foreign exchange (FX) service provided by local exchange companies may be used by an interexchange company to		

CODING: Words underlined are additions; words in struck-through type are deletions from existing law.

originate calls for subsequent routing over the company's facilities. An Interexchange Company may not use FX service to terminate traffic.
(5) Each interexchange company shall order sufficient access facilities between the local exchange carrier's end office or tandem serving the interexchange company and the interexchange company's point of presence to meet the following service standard during the average business day busy hour during the busy season: At least 99% percent of all calls entering or exiting the local exchange carrier's local network at the interexchange company's point of interface on a Feature Group A or D basis will not encounter an all-trunk busy condition. Each interexchange company will maintain the required Busy Hour Minutes of Capacity to attain the 1% blockage requirement. For end-to-end Feature Group C & D service, the call completion rate shall not be less than the company's tariff standard, which in no case shall be less than 90 percent.
Specific Authority: 350.127(2), F.S.
Law Implemented: 364.03, 364.035, 364.17, 364.14, 364.15, 364.16, 364.18, 364.185, 364.30, 364.337, 364.345, F.S.
History: New 2/23/87, Amended 6/25/90, 9/16/92, 2/3/93.
25-4.076 Pay Telephone Service Provided By Local Exchange Companies.

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(1) Each local exchange company shall, where practical, supply at least one coin telephone in each exchange that will be available to the public on a twenty-four (24) hour basis. This coin telephone shall be located in a prominent location in the exchange. Except as provided herein, a telephone company may not be required to provide pay telephone service at locations where the revenues derived therefrom are insufficient to support the required investment unless reasonable public requirements will be served. Pay stations shall be lighted during the hours of darkness when light from other sources is not adequate to read instructions and use the instrument.

(2) Each telephone station shall return any deposited amount if the call is not completed, except messages to a Feature Group A access number.

(3) Each telephone station shall have the capability of coin free access to a local exchange company toll operator and the universal emergency telephone number "911" where operable; and coin free or coin return access to local directory assistance, intercept, repair service and calls to the business office of the company.

(4) Each telephone station shall be equipped with a legible sign, card or plate of reasonable permanence which shall identify the following: the telephone number and location

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address of such station, the name of the certificate holder and the party responsible for repairs or refunds, free telephone number of responsible party and clear dialing instructions (including notice of the lack of availability of local or toll service). The identification of the location address for local exchange and pay telephone companies shall be coordinated with the appropriate "911" or emergency center where applicable. For those paystations that will terminate conversation after (15) minutes, notice shall be included on the sign card as well as an audible announcement 30 seconds prior to termination of the phone call.

(5) Each telephone station which provides access to any long distance carrier shall provide coin free access, except for feature group A access, to all locally available interexchange companies. For pay stations in equal access areas, such access shall be provided through the forms of access purchased by locally available long distance carriers and shall include 10XXX+0, 950 and 800 access. For those pay stations located in non-equal access areas, 00 shall directly access the AT&T operator. Where 00 is not available, 0- to the LEC operator shall be transferred upon request to an AT&T operator, and the instruction card shall so indicate.

(6) Each telephone station shall allow incoming calls to be

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received, with the exception of those located at penal institutions, hospitals and schools, and at locations specifically exempted by the Commission. There shall be no charge for receiving incoming local calls. Where incoming calls are not received, intercept shall be provided.

(7) Where there are fewer than three telephones located in a group, a directory for the entire local calling area shall be maintained at each station. Where there are three or more telephones located in a group, a directory for the entire local calling area shall be maintained at every other station. However, where telephone stations are fully enclosed, a directory shall be maintained at each station.

(8) Normal maintenance and coin collection activity shall include a review of the cleanliness of each station and reasonable efforts shall be made to ensure that 95% of all stations are clean and free of obstructions.

(9) Except as provided in paragraphs (9)(a), (9)(b), and 9(c) below, each telephone station installed after January 5, 1987 shall conform to subsections 4.29.2 - 4.29.4 and 4.29.7 - 4.29.8 of the American National Standards Specifications for Making Buildings and Facilities Accessible and Usable by Physically Handicapped People, approved February 5, 1986 by the American National Standards Institute, Inc. (ANSI A117.1-1986),

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which is incorporated by reference into this rule. Each telephone station installed prior to January 5, 1987 shall conform to the above standards by January 1, 1995.

(a) Effective June 1, 1992, where there are two or more telephone stations located in a group, there shall be a minimum of one telephone per group of ten which conforms to the above mentioned standards. The conforming station must be physically located in the group of telephone stations or within a clear line of sight within fifteen (15) feet of the group and free from wheelchair barriers.

(b) Except for locations on floors above or below entry level in buildings not serviced by a ramp or elevator, such stations shall be placed in areas accessible to the physically handicapped.

(c) Stations located in buildings which are not accessible to physically handicapped persons must comply with the above mentioned standards upon modification of the building to make it handicap-accessible, according to the Americans with Disabilities Act.

(10) Effective September 1, 1992, each telephone shall permit end users to input the additional digits necessary to complete calling card calls, using any locally available carrier, without operator intervention, and to utilize features such as

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voice mail box and menu driven answering devices. This requirement shall not be applicable to pay telephones located in confinement facilities.

(11) Pay stations located in confinement facilities shall be exempt from the requirements of above subsections (1), (3), (5), and (7). Such pay stations shall also be exempt from the requirements of subsection (4), except for the audible and written 15 minute disconnect notification.

(12) Toll Fraud Liability.

(a) A company providing interexchange telecommunications services or local exchange services shall not collect from a pay telephone provider for charges billed to a line for calls which originated from that line through the use of 10XXX+0, 10XXX+01, 950-1/0XXX+0, or 1-800 access code, or when the call originating from that line otherwise reached an operator position, if the originating line is subscribed to outgoing call screening and the call was placed after the effective date of the outgoing call screening order.

(b) A company providing interexchange telecommunications services or local exchange services shall not collect from a pay telephone provider for charges for collect or third number billed calls, if the line to which the call was billed was subscribed to incoming call screening and the call was placed after the

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effective date of the incoming call screening order.

(c) Any calls billed through the local exchange company or directly by an interexchange company, or through a billing agent, which have been identified as not collectible as described in paragraphs (a) and (b) above, must be removed from any pay telephone provider's bill after the pay telephone provider gives notice of the fraudulent charges to the billing party. Such notice shall be provided to the LEC and IXC in writing no later than the due date of the bill.

(d) The LEC is responsible for charges described in paragraph (c) that are associated with the failure of the LEC's screening services.

(e) The IXC is responsible for charges described in paragraph (c) that are associated with its failure to properly validate calls via the appropriate local exchange company data base.

(f) Definitions: For purposes of this rule the term:

(i) "Effective Date" shall mean the date after the call screening order was placed and associated charges apply.

(g) Any charges accrued to a subscriber's line when the subscriber has paid the local exchange company to screen calls described in paragraphs (a) and (b) above shall not be the basis for discontinuance of local or intrastate service.

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Specific Authority: 350.127(2), F.S.

Law Implemented: 364.03, F.S.

History: New 12/1/68, Amended 3/31/76, formerly 25-4.76, Amended
1/5/87, 4/14/92, 12/21/92, 2/3/93.

25-24.515 Pay Telephone Service.

(1) Pay stations shall be lighted during the hours of
darkness when light from other sources is not adequate to read
instructions and use the instrument.

(2) Each telephone station shall return any deposited
amount if the call is not completed, except messages to a Feature
Group A access number.

(3) Each telephone station shall permit access to the
universal telephone number "911" where operable, without
requiring the use of a coin, paper money or a credit card. Where
such number is not operable, the station shall permit access to a
local exchange company toll operator under the same conditions.

(4) Each telephone station shall, without charge, permit
access to local directory assistance and the telephone number of
any person responsible for repairs or refunds but may provide
access by coin return. Any long distance directory assistance
charges applied to the pay telephone service company may be
passed on to the customer.

(5) Each telephone station shall be equipped with a legible

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sign, card or plate of reasonable permanence which shall identify
the following: telephone number and location address of such
station, name of the certificate holder and the party responsible
for repairs and refunds, address of responsible party, free phone
number of responsible party, clear dialing instructions
(including notice of the lack of availability of local or toll
services), and, where applicable, a statement that the phone is
not maintained by the local exchange company. For those pay
stations that will terminate conversation after fifteen (15)
minutes, notice shall be included on the sign card as well as an
audible announcement thirty (30) seconds prior to termination of
the phone call.

(6) Each telephone station which provides access to any
interexchange company shall provide coin free access, except for
feature group A access, to all locally available interexchange
companies. For pay stations in equal access areas, such access
shall be provided through the forms of access purchased by
locally available long distance carriers and shall include
10XXX+0, 950, and 800 access. For those paystations located in
non-equal access areas, 102880 may be translated to 00 to
directly access AT&T. Otherwise, in non-equal access areas, 00
shall directly route to an AT&T operator and the instruction card
shall so indicate. Where 00 is not available, 0- shall route to

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the LEC operator for transfer to AT&T and the instruction card shall so indicate.

(7) All intralata calls, including operator service calls, shall be routed to the local exchange company, unless the end user dials the appropriate access code for their carrier of choice, i.e., 950, 800, 10XXX.

(8) Each telephone station must allow incoming calls to be received, with the exception of those located at confinement facilities, hospitals and schools, and at locations specifically exempted by the Commission. Where incoming calls are not received, intercept shall be provided. There shall be no charge for receiving incoming local calls.

(9) Each telephone station must be connected as provided in the pay telephone access tariff offered by the local exchange company.

(10) The charge for calls may not exceed the rates shown in the local exchange company Pay Telephone Access Tariff.

(11) (a) Each pay telephone service company shall make all reasonable efforts to minimize the extent and duration of interruptions of service. Service repair programs should have as their objective the restoration of service on the same day that the interruption is reported to the company. (Sundays and holidays excepted).

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(b) Each telephone utility shall conduct its operations in such manner to ensure that, in each exchange, ninety-five (95%) percent of all interruptions in telephone service occurring in any calendar month shall be cleared and service restored within twenty-four (24) hours (Sundays and holidays excepted) after the trouble is reported to the company, except where such interruptions are caused by emergency situations, unavoidable casualties and acts of God affecting large groups of subscribers.

(12) Where there are fewer than three telephones located in a group, a directory for the entire local calling area shall be maintained at each station. Where there are three or more telephones located in a group, a directory for the entire local calling area shall be maintained at every other station. However, where telephone stations are fully enclosed, a directory shall be maintained at each station.

(13) Normal maintenance and coin collection activity shall include a review of the cleanliness of each station and reasonable efforts shall be made to ensure that 95% of all stations are clean and free of obstructions.

(14) Except as provided in subsections (14)(a), (14)(b), and (14)(c) below, each telephone station installed after January 5, 1987 shall conform to subsections 4.29.2-4.29.4 and 4.29.7-4.29.8 of the American National Standards Specifications for Making

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